

**REMARKS:**

**CITATION OF REFERENCES**

The Applicant submits that, in a previous Office Action, the Examiner has based rejections on U.S. Patent 6,498,870 to Wu et al. and U.S. Patent 6,523,961 to Ilkov. However, the Examiner  
5 has not cited either patent in a List of References Cited (Form PTO-892). The Applicant respectfully requests that these two references, which are submitted herewith in an Information Disclosure Statement, be made of record.

**CLAIM AMENDMENTS**

To expedite prosecution, the Applicant has canceled claims **1, 11-17, 24, 26, 29-31, 38, 41-45,**  
10 **50-55** and amended claims **2, 4, 10, 18-20, 23, 25, 27 28, 32, 33, 34, 37, 39, 56, 57, 58** and **61** to put them in independent form as suggested by the Examiner. The Applicant reserves the right to pursue the subject matter of the cancelled claims in a later filed continuation application.

**CLAIM REJECTIONS**

35 USC 102 Anderson

15 The Examiner has rejected claims **1, 11-17, 24, 26, 29-31, 38, 40-44, 50-55** under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,600,591 to Anderson et al. (hereinafter Anderson). In rejecting the claims, the Examiner states that Anderson, in Fig. 1 of discloses a method of reducing stiction in MEMS device comprising a moveable element 112 coupled to a substrate 104, the method comprising providing the substrate with an anti-stiction member 120a, 120b,  
20 and interposing the anti-stiction member between the movable member and the substrate.

The Applicant respectfully traverses the rejection. The rejections are moot with respect to canceled claims **1, 11-17, 24, 26, 29-31, 38, 41-44, 50-55**. Claim **40** depends from claim **39**, which has been indicated as allowable by the Examiner. Therefore, the Applicant submits that claim **40** is allowable by virtue of its dependence from an allowed claim. As such, claim **40**  
25 defines an invention suitable for patent protection.

35 USC 103

Anderson in view of Lin

The Examiner has rejected claim **45** under 35 USC 103(a) as being unpatentable over Anderson in further view of U.S. Patent 6,215,921 to Lin (hereinafter Lin). The Applicant submits that the rejection is moot in view of the cancellation of claim **45**.

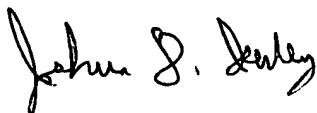
ALLOWABLE SUBJECT MATTER

The Examiner has allowed claims **46-49** and indicated that claims **2-10, 18-23, 25, 27, 28, 32-37, 39** and **56-61** would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and subject to 35 USC 112, second paragraph. The Applicant submits that, in view of the above amendments and remarks and the Examiner's withdrawal of the prior 35 USC 112 rejections, all pending claims are now allowable.

CONCLUSION

For the reasons set forth above, the Applicants submit that all claims are allowable and define an invention suitable for patent protection. The Applicants therefore respectfully request that the Examiner enter the amendment, reconsider the application, and issue a Notice of Allowance in the next Office Action.

Respectfully submitted,



Joshua D. Isenberg  
Reg. No. 41,088  
Patent Attorney

Date: 8/24/2004

JDI PATENT  
204 Castro Lane  
Fremont, CA 94539  
tel.: (510) 896-8328  
fax.: (510) 360-9656